

# **Miami-Dade County**

Stephen P. Clark Government Center  
111 N.W. 1st Street  
Miami, Fl. 33128



## **LEGISLATIVE ANALYSIS**

Thursday, July 22, 2004  
9:30 AM  
Commission Chambers

**Board of County Commissioners**

**Budget and Finance Committee**

Overview of Local Preference Provisions pursuant to County Code  
Including Amendments proposed by Budget and Finance Committee Item 2(A) Substitute

Jurisdiction	Definition of Local Business	Proof of local business	Penalties for Misrepresentation	Local Preference Procedure for Competitive Bids	Reciprocity
Miami-Dade	Vendor has a valid occupational license issued by Miami-Dade at least 1 year prior to bid/proposal submission and a physical business address (not just a P.O. box) located within Miami-Dade from which the vendor operates or performs business. <b>PROPOSED AMENDMENT:</b> Vendor must contribute to the economic development and well-being of Miami-Dade in a verifiable and measurable way (e.g. support and increase the County's tax base). Vendors shall affirm in writing their compliance at time of submission.	Vendor submits copy of occupational license at time of vendor registration. <b>PROPOSED AMENDMENT:</b> Vendors shall affirm in writing their compliance at time of submission to be considered as a "local business".	<b>PROPOSED AMENDMENT:</b> Vendor who misrepresents the Local Preference status of its firm will lose the privilege to claim local preference status for a period of up to one year. County Manager may also recommend debarment in accordance with County code.	If a non-local business gives the lowest bid and local business(es) is within 10% of the bid of the non-local business, then the non-local business and aforementioned local business(es) can submit a best and final bid. Contract award will be made to the responsive/responsible firm with the lowest best and final bid. In the case of a tie, contract award will be made to the local firm.	Miami-Dade may enter into an interlocal agreement with Broward, Palm Beach or Monroe County to extend preferences to vendors that have a valid occupational license issued by any of these counties. <b>PROPOSED AMENDMENT:</b> Same proof of local business as required of Miami-Dade businesses.
Broward	Vendor has a valid occupational license issued by Broward at least 1 year prior to bid/proposal submission and a physical business address (not just a P.O. box) located within Broward from which the vendor operates or performs business.	Vendor must provide a copy of the occupational license prior to recommendation for award.	none	Same as Miami-Dade, but the price differential is 5%.	Broward may enter into an interlocal agreement with Miami-Dade, Broward, Palm Beach, Monroe, Martin or any other South Florida County to extend preferences.
Palm Beach	Vendor has a valid occupational license issued by Palm Beach prior to bid/proposal submission and a physical business address (not just a P.O. box) located within Palm Beach. A joint venture/partnership is sufficient to qualify if at least one of the partners meets the requirements above.	The determination shall be made by County staff based upon documentation submitted by the firm at the time of submission. Staff may require the firm to provide additional information prior to award.	none	If a non-local business gives the lowest bid, the bids of local business(es) may be adjusted by 5% solely for the purpose of determining bid award. Local preference cannot be applied where it would result in award that exceeds the otherwise lowest bid by \$100,000.	Palm Beach may enter into an interlocal agreement with Broward, Martin or Miami-Dade to extend preferences.
Monroe			No Local Preference		

**LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT**

*ORDINANCE CREATING AND ESTABLISHING THE BISCAYNE GARDENS AREA MUNICIPAL ADVISORY COMMITTEE; DIRECTING STAFF TO PREPARE A STUDY OF THE POSSIBLE CREATION OF A NEW MUNICIPALITY IN THE AREA OF GOULDS ; PROVIDING WAIVER OF SECTION 2-11.37(C) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE*

Commissioner Dorrin D. Rolle

**I. SUMMARY**

Municipal Advisory Committees (MAC) are established by Resolution to allow residents to study the ability to incorporate. The MAC shall prepare and submit an advisory report. If the MAC is unable to complete its work in one (1) year, then an ordinance must be passed to allow for its extension.

**II. PRESENT SITUATION**

The Biscayne Gardens Area MAC would be **extended** if the corresponding ordinances are passed. This Item requests a waiver of the 6-week requirement between first reading and public hearing.

**III. POLICY CHANGE AND IMPLICATION**

N/A

**IV. ECONOMIC IMPACT**

The Manager states that no Fiscal Impact will be incurred by the County from the MAC process. It should be noted that the FY 03-04 Operating Budget for Annexation and Incorporation was \$816,000 with 6 total positions. The Office of Strategic Management and Budget has an Incorporation, Annexation and Municipal Support Group which provides support to the MACs.

**V. COMMENTS AND QUESTIONS**

None.

**BUDGET & FINANCE ITEM 3(B)**

July 22, 2004

**LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT**

*RESOLUTION SETTING THE PROPOSED FY 2004-05 MILLAGE AND SPECIAL ASSESSMENT RATES AND SETTING THE DATE, TIME AND LOCATION OF THE PUBLIC BUDGET HEARINGS*

Office of Strategic Business Management (OSBM)

**SUMMARY**

This resolution:

1) Sets the proposed FY03-04 millage rates as follows:

<u>Taxing Unit</u>	<u>FY04-05 Proposed Millage Rate</u>
Countywide	5.969 (same as in current year)
Countywide Debt	0.285 (same as in current year)
Fire Rescue	2.592 (0.010 mills higher than current year)
Fire Rescue Debt	0.069 (0.010 mills lower than current year)
Library	0.486 (same as in current year)
UMSA	<u>2.447</u> (same as in current year)
Total	11.848 (same as in current year)

Notes:

- The Manager's proposed FY04-05 operating budget, based on the above total millage, is \$3.92 billion (a 5.1% increase over the current year's operating budget). The proposed FY04-05 capital budget is \$2.29 billion (a 3.3% increase from the current year's capital budget of \$2.21 billion).
- The 0.105 mills allocated for the second payment to the Countywide Emergency Contingency Reserve is \$13.2 million. The projected balance by Sept. 2005, assuming no funds are utilized by then, is \$24.5 million.
- Estimated tax roll growth for FY04-05 is 13.4%, the highest in over 20 years. The fiscal impact on residential homestead property owners in Miami-Dade County is 1.9% (the growth in the Consumer Price Index) under the Save Our Homes amendment.

2) Sets the dates for the budget hearings as follows:

1. Tuesday, Sept. 7, 2004 in Commission Chambers at 5:01 p.m.
2. Monday, Sept. 20, 2004 in Commission Chambers at 5:01 p.m.

**COMMENTS & QUESTIONS**

The millages approved by the Board on July 27, 2004 will be the maximum millages that can be adopted for the final budget, unless all affected property owners are notified by mail. Millages can be lowered at the budget hearings, but at the second budget hearing, the rates *cannot* be increased above those adopted at the first budget hearing.

- In his Budget Message, the Manager urges the Board to consider a slight increase in the UMSA millage rate to phase in selected service improvements. Each tenth of a mill is equivalent to \$4.737 million.

Assuming the General Obligation Bond Program, or any portion thereof, does not pass, there would be additional capacity to keep the total millage rate the same while providing additional service improvements to the citizens, or to reduce the Countywide Debt millage by the corresponding amount.

Budget & Finance Committee Agenda Item 3(F)

Item #	Title	Allocation	Contract	Measures	Vendors	Request	Description
<i>Non-competitive Contract Modifications</i>							
3.1	Screening Personnel Services	\$8.5 million	Sept. 30, 2004 (exp.)	n/a	50 State Security	Increase in spending authority and time	Increase allocation 35.9% to \$11.6 million. Increase time 6 months to Mar. 31, 2005. Needed until new contract is issued. According to DPM, resolution of the legal issues associated with this contract (lawsuits regarding applying contract measures) is pending, so no advertisement/placement timeframes are available at this time. Reduced reliance on screening personnel (e.g. with new County ID cards) are reflected in the allocation.
3.2	Cryogenic Oxygen Facilities Repair	\$897K	Nov. 30, 2004 (exp.)	n/a	Mixing & Mass Transfer Technologies	Increase in spending authority	Increase allocation 40.7% to \$1.26 million. Needed for repair Oxygen Plant No. 2 at the South District Waste Water Treatment Plant. During routine maintenance of the Plant, a leak was discovered.
<i>Requests to Advertise for Bids</i>							
5.1	Open, Closed Top and Universal Refuse Trailers	\$1.5 million	One year and four 1-year OTRs	BBE, HBE, and WBE Bid Preference	n/a	Authorize issuance and advertisement	Replacement contract for Solid Waste Department to purchase refuse trailers. Previous contract had no measures. Award to lowest responsive/responsible bidder.

\* Additional information not included in the item is in italics.

Budget & Finance Committee Agenda Item 3(F) (continued)

Item #	Title	Allocation	Contract	Measures	Vendor(s)	Request	Description
5.2	2005 Hybrid Vehicles	\$2.1 million	One year	Insufficient availability	n/a	Authorize issuance and advertisement	Replacement contract for GSA to purchase hybrid vehicles. Three low responsive/responsible bidders will have opportunity to bid for each purchase order. The low bidder will be determined by combination of base price plus desired options. <i>According to DPM, the \$2 million allocation was based on a rough estimate of 100 hybrid sedans being ordered. Quantities broken down by size will not be determined until Dec./Jan. GSA has determined there are no financial savings associated with the greater fuel efficiency of hybrids when compared to regular sedans (such as a Dodge stratus). The County relies on hybrid vehicles primarily to lower the overall fleet fuel usage, and to minimize associated environmental pollution.</i>
5.3, 5.4, 5.5, 5.6	2005 4-Door Small, Medium and Large Sedans; 2005 Pick-up Trucks; Various Sizes; 2005 Vans; Various Sizes; 2005 Police Vehicles	\$1.8 million; \$6.4 million; \$2.4 million; \$6.4 million	One year	BBE, HBE, and WBE bid preference	n/a	Authorize issuance and advertisement	Replacement contract for GSA to purchase various vehicles for various County departments, including the Police Department. Three low responsive/responsible bidders will have opportunity to bid for each purchase order. The low bidder will be determined by combination of base price plus desired options.

\* Additional information not included in the item is in *italics*.

Budget & Finance Committee Agenda Item 3(F) (continued)

Item #	Title	Allocation	Contract	Measures	Vendor(s)	Request	Description
5.7	Trees and Palms	\$3.5 million	One year and four 1-year OTRs	BBE bid preference	n/a	Authorize issuance and advertisement	Replacement contract to furnish and/or deliver and install 99 types of trees and palms and to relocate various sizes of trees and palms. Two low responsive/responsible bidders (primary and secondary award) in three groups will be awarded work on an item-by-item basis. The primary vendor (lowest bidder) will be given first opportunity. Award to two bidders ensures availability. <i>According to DPM, a major re-structuring of this contract to a pre-qualified pool basis is needed. Thus, this item may be withdrawn from the agenda at this time.</i>
5.8	Pesticides and Weed Killers	\$7.1 million	Two years and three 1-year OTRs	Insufficient availability	n/a	Authorize issuance and advertisement	Replacement contract for various departments to purchase pesticides, fungicides and herbicides. Awarded to low responsive/responsible bidder on an item-by-item basis.

\* Additional information not included in the item is in italics.

Budget & Finance Committee Agenda Item 3(G)

Item #	Title	Allocation	Contract Measures	Vendors	Request	Description
<b>SoLe Sources</b>						
1.1	Radio System Parts, Equipment and Services	\$2.7 million	One year and four 1-year OTRs	M/A Com, Inc.	Authorize sole source contract	Establish contract to purchase parts, equipment and services for Transit's Computer Aided Dispatch (CAD)/Automated Vehicle Locator (AVL) software that is part of Transit's radio system. According to DPM, because the current system uses older technology, only the specified vendor can support it. (The current system is actually almost 10 years old.) Transit anticipates purchasing new CAD/AVL software in the future, pending budget and resources. <i>The radio portion of the system will not be replaced, so it must be maintained and modified as needed.</i>
<b>Emergency Purchases</b>						
5.1	Methane Gas-Powered Engines OEM Parts and Repair Services	\$131K	Sept. 26, 2003 - Mar. 8, 2004	Cooper Cameron Corporation d/b/a Cooper Energy Services	Retroactive Authorization	Purchase of OEM parts and repair services to overhaul two "Superior" brand methane gas-powered engines at the South District Waste Water Treatment Plant. Vendor is the sole authorized manufacturer and distributor of "Superior" engines in the South Florida area. <i>This vendor currently has other contracts with the County. While the vendor has submitted Affirmative Action Plan (AAP) documentation in the past (expired in 2000), DPM has not been notified that its AAP has been renewed. According to DPM, the vendor's failure to submit may be considered "non-responsible" under future contract actions. In an emergency situation, DPM may issue a purchase order to a vendor who has not fully complied with the County's AAP requirements.</i>
5.2	Helicopter for Mosquito Spraying	\$1.6 million	Upon delivery	American Eurocopter LLC	Retroactive Authorization	Purchase of helicopter used for aerial mosquito spraying on May 17, 2004 with funding from a U.S. Department of Agriculture Grant that had to be used by Sept. 2004. <i>The County will request reimbursement from the USDA for \$943,000.</i>

\* Additional information not included in the item is in italics.

Budget & Finance Committee Agenda Item 3(G) (continued)

Item #	Title	Allocation	Contract	Measures	Vendor(s)	Request	Description
<i>Emergency Purchases (continued)</i>							
5.3	Sewer Force Main Emergency Repairs	\$449K	April 19, 2004 - May 19, 2004	n/a	Metro Equipment Service, Inc.	Retroactive Authorization	Repair of a 42" sewer force main rupture caused by a contractor working on a FPL project. Failure to repair it as soon as possible could have posed a health hazard. Restitution should be sought by the department through the County Attorney. According to DPM, due to the certain emergencies or situations, staff may identify firms based on their own criteria so, whenever possible, quotes from multiple firms are sought informally and "de facto" competition is obtained.
5.4	Hybrid Pickup Trucks	\$1.3 million	Upon delivery	n/a	Abraham Chevrolet-Miami, Inc. d/b/a Maroone Chevrolet of Miami	Retroactive Authorization	Purchase of 50 GM Hybrid pickup trucks (30 ZWD and 20 4WD). A limited amount of units were offered to municipalities and the County only had 10 days to decide to place the order. At the time the emergency purchase contract was made, GSA requested an allocation of \$1.348 million. The actual expenditure on the contract was \$1.27 million. GM will be buying back the trucks after three years for approx. \$900K to examine how they performed.
5.5	Roadside Tractor Mowing Services	\$480K	June 10, 2004 - Nov. 30, 2004	n/a	A Native Tree Service, Inc and S.P.E.C. Inc.	Retroactive Authorization	To provide continuity of roadside tractor mowing services pending award of a new contract that will consolidate existing contracts and have seven zones and more vendors. Current vendors agreed to extension of contracts under same terms on a month-to-month basis.
5.6	Polymer	\$114K	June 28, 2004 - Mar. 28, 2005	n/a	Ciba Specialty Chemicals Water Treatment	Retroactive Authorization	To purchase polymer, a chemical additive for the water treatment process at the John E. Preston Plant. After review of product effectiveness and draft of technical specs, a contract will be established via competitive bid.
<i>Non-competitive Contract Modifications</i>							
6.1	Defibrillators - Equipment/ Accessories/ Maintenance	\$1.4 million	Dec. 31, 2006 (exp)	n/a	Medtronics Physio-Control	Increase in spending authority	Increase allocation 118% to \$2.96 million to purchase additional defibrillators for police patrol vehicles under existing contract. This vendor is sole distributor of the "LifePak" defibrillators, which is the only type compatible with the County's equipment. The discounts under the existing contract were negotiated for this extension, as well as inclusion of replacement batteries at no charge.

\* Additional information not included in the item is in *italics*.

**LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT**

*RESOLUTION APPROVING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF MIAMI GARDENS FOR THE TRANSITION OF MUNICIPAL SERVICES; AUTHORIZING THE COUNTY MANAGER TO EXECUTE THE AGREEMENT, TAKE ANY ACTION REQUIRED OF THE COUNTY HEREIN AND EXERCISE ANY RENEWAL AND CANCELLATION PROVISIONS THEREIN*

Office of Strategic Business Management

**I. SUMMARY**

This resolution will approve the Master Interlocal Agreement between the County and the City of Miami Gardens.

**II. PRESENT SITUATION**

The City of Miami Gardens was approved by electors May 13, 2003 with Municipal officials having been elected July 23, 2003. The County and City began negotiating the Interlocal Agreement shortly after the City Manager was selected. On July 21, 2004, the City will vote on approving the Interlocal Agreement.

**III. POLICY CHANGE AND IMPLICATION**

This Interlocal is structured so as to not trigger the "Favored Nation Status" clauses in the Interlocal Agreements with previous incorporations.

**IV. ECONOMIC IMPACT**

This Interlocal should have no Fiscal Impact since the City will pay for services provided by the County between May 13, 2003 and September 30, 2004 unless extended upon request of the City.

No mitigation payments will be required from the City. The dispute over money owed to the County has been resolved in the amount of \$12,011,017 owed to the County.

Payment schedule:

\$7,447,265 from the City's General Fund on or before 12/01/2004

\$1,045,450 from the City's Transportation Fund on or before 12/01/2004

\$ 351,830.20 on 09/01/2005 and annually through 09/01/2014

**V. COMMENTS AND QUESTIONS**

- During the current Committee Cycle, Interlocal Agreements were on the Agendas for Conveyance of Parks, Local Patrol Police Services, and Specialized Police Services.
- The \$3,518,302 will be paid interest free over 10 years.